

Permitting & Assistance Branch Staff Report
Revised Solid Waste Facilities Permit for
Sycamore Landfill
SWIS No. 37-AA-0023
July 13, 2015

Background Information, Analysis, and Findings:

This report was developed in response to the City of San Diego Development Services Department's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed revised Solid Waste Facilities Permit (SWFP) for Sycamore Landfill located in Santee, owned and operated by Sycamore Landfill, Inc. (Republic Services, Inc.). A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was initially received on May 4, 2015. A new proposed permit was received on June 4, 2015. A second new proposed permit was received on June 16, 2015. Action must be taken on this permit no later than August 15, 2015. If no action is taken by August 15, 2015, the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

Proposed Project:

The following changes to the first page of the permit are being proposed:

	Current SWFP (2006)	Proposed SWFP
Permitted Area for Disposal	491 acres	603 acres
Permitted Area for Disposal	324 acres	349.2 acres
Maximum Elevation	883 feet mean sea level (msl)	1,050 feet above mean sea level (amsl)
Maximum Depth	434 feet msl	431 amsl
Maximum Permitted Tonnage for Disposal	3,965 tons per day (tpd)	5,000 tpd
Hours of Operation	Monday – Friday, 6:00am-4:30pm Saturday – Sunday, 6:00am-4:00pm	Monday – Friday, 6:00am-4:30pm Saturday – Sunday, 6:00am-3:00pm
Maximum Daily Waste Traffic	620 vehicles per day (vpd)	869 municipal solid waste tickets per day
Design Capacity (cubic yards)	48,124,462 Remaining Gross Capacity (as of 02/05)	147,908,000
Estimated Closure Date	2031	2042

Other changes include:

1. Updates to the following sections of the SWFP: “Findings,” “Prohibitions,” “Documents,” “Self-Monitoring,” and “LEA Conditions” including the rewording, additions and/or deletions for the purpose of updating and/or clarifying;
2. Update the Preliminary Closure and Postclosure Maintenance Plan, including Cost Estimates; and
3. Updates to the Joint Technical Document (JTD), dated February 2015.

Key Issues:

The proposed permit will expand the facility, increasing the waste footprint, the design capacity, and site life. It includes upgrades to the facilities, including roads, scalehouse, drainage, and ability to process recyclable materials.

Background:

Sycamore Landfill is an existing facility operating under a revised SWFP that was issued on September 15, 2006.

Findings:

Staff recommends concurrence in the issuance of the proposed revised SWFP. All of the submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff’s findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated May 1, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on July 12, 2011. The LEA provided a copy to the Department on July 15, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on June 16, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on May 4, 2015, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Product & Compliance Unit found the facility is identified in the Countywide Siting Element, as described in their memorandum dated May 25, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21685(b)(5) Preliminary or Final Closure/ Postclosure Maintenance Plans Consistency with State Minimum Standards	Engineering Support Branch staff in the Closure and Technical Support Section found the Preliminary Closure and Postclosure Maintenance Plans are consistent with State Minimum Standards and technically adequate as described in their memorandum dated July 13, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(6) Known or Reasonably Foreseeable Corrective Action Cost Estimate	Engineering Support Branch staff in the Closure and Technical Support Section found the written estimate to cover the cost of known or reasonably foreseeable corrective action activities is consistent with State Minimum Standards and technically adequate as described in their memorandum dated July 10, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(7)(A) Financial Assurances Documentation Compliance	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Financial Assurances documentation for closure, postclosure maintenance, and corrective action in compliance as described in their memorandum dated June 26, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(7)(B) Operating Liability Compliance	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Operating Liability in compliance as described in their memorandum dated June 26, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on June 2, 2015. See Compliance History below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on May 4, 2015, that the proposed permit is consistent with and supported by the existing CEQA documentation. See Environmental Analysis below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	No written comments were received by the LEA or Department staff. See Public Comments section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a Responsible Agency under CEQA with respect to this project. Permitting and Assistance Branch staff have determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History:

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted an inspection on June 2, 2015, and found the facility to be in compliance with applicable state minimum standards and permit conditions.

Below are the details of the landfill's compliance history based on the LEA's monthly inspection reports during the last five years:

- 2015 (January through June) – No violations reported.
- 2014 (April) – One violation for 27 CCR 20921 – Gas Monitoring and Control was reported.
- 2013 – No violations reported.
- 2012 (May through September) – Six violations for 27 CCR 20921 – Gas Monitoring and Control were reported.
- 2011 – No violations reported.
- 2010 (February, May, July, and August) – Four violations for 27 CCR 20921 – Gas Monitoring and Control were reported.

The violations were corrected to the satisfaction of the LEA.

Environmental Analysis:

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs on it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the City of San Diego Development Services Department acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The permit is being revised to update the following: increased waste footprint, increased permitted boundary, increased maximum tonnage, increased maximum vehicle trips, extended estimated closure date, increased design capacity, change in hours of operation, increased maximum elevation, updated Preliminary Closure and Postclosure Maintenance Plans, Cost Estimates and Joint Technical Document. New buildings and roads and use of processed green material mixed with Construction, Demolition and Inert debris fines for ADC will also be incorporated as part of the revised permit. These changes are supported by the following environmental documents.

A Draft Environmental Impact Report (EIR), State Clearinghouse No. 2003041057, was circulated for a 45-day review period from May 11, 2012 through June 25, 2012. The Draft EIR identified significant and unavoidable impacts to: visual effects/neighborhood character (aesthetics), biological resources, historical resources, land use, noise, paleontological resources, traffic/circulation and air quality. The Final EIR, together with the Statement of Overriding Considerations, was certified by the City of San Diego City Council on September 17, 2012. The Notice of Determination was filed with the State Clearinghouse on September 20, 2012.

The Lead Agency determined that the project will have significant and unavoidable impacts outlined above and adopted a Statement of Overriding Considerations (SOC), finding that the project benefits outweigh those significant effects. According to the Lead Agency, the benefits from the project will include:

1. Efficient Use of Existing Landfill.
2. Provide Necessary Daily Capacity.
3. Provide Necessary Long-Term Capacity To Facilitate CIWMB Siting Element.
4. Provide A Site For Comprehensive Recycling of Construction and Demolition Waste.
5. Provide the City of San Diego Waste Guaranteed Disposal Capacity at a Predictable Future Cost.
6. New Revenue to the City.
7. Jobs for Area Residents.
8. Improvement to Local Transportation System and Access.
9. Help Alleviate Traffic Congestion.
10. Provide a Centrally Located Disposal Facility.
11. Lower Vehicle Miles Traveled and Lower Costs.
12. Provide Aggregate Resources.
13. Enhance Recycling Efforts.
14. Help Manage Greenhouse Gasses.
15. Improve Aesthetics, Queuing and Safety of Existing Project Entry.
16. Provide Post-Closure Open Space.
17. Increase Trails In and Around Mission Trails Park.
18. Provide Additional MHPA Lands to the City.
19. Eliminate Potential Conflicts from Self-Haul and Commercial Vehicles.
20. Remove Exotic Invasive Species.
21. Implement General Plan Waste Management and Recycling Goals.
22. Strengthen City's Tax/Revenue Base.
23. Social Benefits/Implement General Plan Goals and Policies.

Statement of Overriding Considerations:

Because all of the project's impacts cannot be avoided or substantially reduced, before concurring on the issuance of the proposed permit, the Department must adopt a Statement of Overriding Considerations that indicates its reasons for overriding the adverse environmental effects caused by the proposed project. It is Department staff's recommendation that the Department adopt as its own the Statement of Overriding Considerations as adopted by the Lead Agency to the extent that the unavoidable significant environmental effects of the project identified in the Statement of Overriding Considerations relate to environmental effects caused by the Department's exercise of its Statutory Authority.

Department staff recommends the Final EIR, with all other CEQA documents adopted by the Lead Agency, and with the inclusion of the Statement of Overriding Considerations, is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department. Specifically, the Department finds that those identified significant effects on the environment related to traffic, air, and dust control, to the extent they are within CalRecycle's jurisdiction and state minimum standards, have been reduced to a level below significance through mitigation measures in the Lead Agency's adopted mitigation monitoring and reporting program. Other potential effects controlled by state

minimum standards related to vectors and litter were analyzed in the EIR and found to be less than significant.

The City of San Diego LEA has provided a finding that the proposed revised SWFP is consistent with and supported by the cited environmental documents.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the environmental documents as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed revised SWFP.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed revised SWFP and all of its components and supporting documentation, this staff report, the Final EIR certified by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed revised SWFP. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Lawsuit and Litigation:

On November 6, 2012, Preserve Wild Santee, the Center for Biological Diversity, and the California Chaparral Institute, filed a lawsuit under CEQA to challenge the City of San Diego's approval of the Sycamore Landfill's Master Plan project and the certification of their EIR. The lawsuit was dropped after parties reached an agreement on mitigation measures.

Public Comments:

The project document availability was noticed consistent with the SWFP requirements. The LEA posted a Public Notice for the revised SWFP in accordance with 27 CCR 21660.3. The LEA held a public informational meeting in accordance with 27 CCR 21660.2 on April 14, 2015, at the Mission Trails Regional Park Theater, One Father Junipero Serra Trail, in the City of San Diego. No members of the public were in attendance. No written comments were received by the LEA or Department staff.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meetings on May 19, 2015 and June 16, 2015. No comments were received during the monthly meetings.